

ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 542B.6, the Engineering and Land Surveying Examining Board hereby gives Notice of Intended Action to amend Chapter 11, "Minimum Standards for Property Surveys," Iowa Administrative Code.

Item 1 of these amendments modifies the definition of "retrace" to require monumentation with permanent monuments. Item 2 describes what monuments found or placed by a surveyor shall, at a minimum, include.

Any interested person may make written or oral suggestions or comments on the proposed amendments on or before January 6, 2009. Comments should be directed to Gleen Coates, Executive Officer, Iowa Engineering and Land Surveying Examining Board, 1920 SE Hulsizer Road, Ankeny, Iowa 50021; by telephone at (515)281-7360; or by E-mail to gleean.coates@iowa.gov.

Waiver of these rules may be sought pursuant to 193—Chapter 5.

These amendments are intended to implement Iowa Code sections 355.3 and 542B.2.

The following amendments are proposed.

ITEM 1. Amend rule 193C—11.2(542B), definition of "Retrace," as follows:

"Retrace" means following along a previously established line or curve to logical termini monumented ~~by corners~~ with permanent monuments as defined in subrule 11.7(1) that are found or placed by the surveyor.

ITEM 2. Amend rule 193C—11.7(542B) as follows:

193C—11.7(542B) Monuments.

11.7(1) Permanent monuments shall be constructed of reasonably permanent material solidly embedded in the ground and capable of being detected by commonly used magnetic or electronic equipment. The licensed land surveyor shall affix to the top of each monument set by the surveyor a cap of reasonably inert material bearing an embossed or stencil-cut marking of the Iowa license number of the licensed land surveyor. Monuments or marks placed in pavements need not be capped. See rule 193C—11.3(542B).

11.7(2) Monuments found or placed by the surveyor, at a minimum, shall include the following:

a. All United States public land survey corners as defined in 193C—subrule 12.2(1) shall be monumented if said corners are used to calculate, determine, or establish any controlling boundary lines as part of any plat of survey or subdivision plat.

b. All block corners or other lot corners, if there are no blocks, of a recorded subdivision shall be monumented if said corners are used to calculate, determine, or establish any controlling boundary lines as part of any plat of survey or subdivision plat.

c. All end points of road or highway right-of-way line segments shall be monumented if said segment intersects any boundary established during a property survey (as defined in rule 193C—11.2(542B)) or if said segment is interior to a lot, parcel, or tract retraced or established during a property survey (as defined in rule 193C—11.2(542B)). Monumentation of said end points shall not be required if the right-of-way is a constant and parallel offset of the controlling land line/centerline or other controlling line. However, monumentation shall be required at the end points or at logical

locations on said controlling line on either side of said lot, parcel, or tract retraced or established during a property survey.

d. All corners as described in paragraphs “a,” “b,” and “c” above and their corresponding monumentation shall be shown on the plat (as defined in rule 193C—11.2(542B)). Calculated locations of these corners shall not be allowed unless the placement of a monument at said corner is impractical, in which case a reference monument shall be established nearby as described in Iowa Code section 355.6(3).